

FINAL BILL REPORT

SSB 6398

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Synopsis as Enacted

Brief Description: Adding the definition of threat to malicious harassment provisions.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Kline, McDermott, Keiser, Hobbs, Murray, Jacobsen, Kohl-Welles and Gordon).

Senate Committee on Judiciary

House Committee on Public Safety & Emergency Preparedness

Background: The definition of threat to do bodily injury in the Criminal Code means to communicate, directly or indirectly, the intent to cause bodily injury in the future to the person threatened or to any other person. On November 24, 2008, the Court of Appeals decided, in an unpublished opinion, that there was insufficient evidence to support a crime of malicious harassment because the threat to cause bodily injury was immediate instead of a threat to do harm in the future. The court based its decision on the fact that the statutory definition of "threat" does not include immediate threats to cause bodily harm.

Summary: A definition of threat which includes both immediate and future bodily harm is added to the malicious harassment statute and removed from the general definition section of the criminal code. The definition of threat, in the malicious harassment statute, is expanded to include immediate and future threats to property.

Votes on Final Passage:

Senate	46	0
House	96	0

Effective: June 10, 2010

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